IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 1ST SEPTEMBER 2006 / 10TH BHADRA 1928

OP.No. 4219 of 2002(B)

PETITIONER:

ABDUL MAJEED,THATTARAYYATHU, NAMBARU VIKKALA, ALUMKADAVU, KARUNAGAPPALLY, KOLLAM DIST.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:
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1. THE SALES TAX OFFICER, CHATHANOOR, KOLLAM DISTRICT.

2. THE TAHISLDAR (REVENUE RECOVERY), KARUNAGAPPALLY, KOLLAM DIST.

BY GOVERNMENT PLEADER SRI.JULIAN XAVIER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 01/09/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO7519/2002 IN OP. NO.4219/2002

DISMISSED

1.9.2006 **SD/- C.N.RAMACHANDRAN NAIR, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE SALES TAX APPEAL ORDER NO.STA(NR) NO. 1410/01 DT.17.12.01 OF THE APPELLATE ASSISTANT COMMISSIONER, KOLLAM.

EXT.P2:- COPY OF THE NOTICE NO.12201689/2000-2001 DT.18.1.2002 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P3:- COPY OF THE NOTICE NO.B2 1855/2002 DT.30.1.2002 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER

/TRUE COPY/

tss

C.N.RAMACHANDRAN NAIR,J.

O.P.NO. 4219 OF 2002

Dated this the 1st day of September, 2006

JUDGMENT

O.P. is filed challenging revenue recovery proceedings for recovery of arrears of sales tax due for 2000-01 on the ground that the assessment was modified vide Ext.P1 order in appeal. It is not known whether the appellate order was subject matter of second appeal before the Tribunal. In any case, O.P. is pending for the last four years, and the subsequent appeal, if any, filed would have been disposed of now. O.P. is therefore disposed of directing the assessing authority to implement Ext.P1 appellate order or the subsequent order in appeal or revision, and pass final orders on the basis of the latest order in appeal or revision within a period of one month from the date of production of a copy of this judgment by the petitioner. Interim order will continue to be in force for another four months from now.

(C.N.RAMACHANDRAN NAIR)
Judge